



P/2107-264

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Ferdinand Hermann BAHLMANN et al

Date: April 26, 2006

Serial No.: 10/522,426

Group Art Unit: 1615

Filed: March 25, 2005

Examiner: --

For: USE OF ERYTHROPOIETIN

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**SECOND PRELIMINARY AMENDMENT**

Sir:

Preliminary to the examination of the above application, please amend the above-entitled patent application as follows.

**FEE CALCULATION**

Any additional fee required has been calculated as follows:

\_\_\_\_\_ If checked, "Small Entity" status is claimed.

NO. CLAIMS AFTER AMENDMENT			HIGHEST NO. PREVIOUSLY PAID FOR		EXTRA PRESENT		RATE	ADDIT. FEE
TOTAL	64	MINUS	43	* =	21	X	(\$25 SE or \$50)	\$ 1050.00
INDEP.	14	MINUS	14	** =	0	X	(\$100 SE or \$200)	\$ 0.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM						X	(\$180 SE or \$360)	\$

\* not less than 20 \*\* not less than 3

TOTAL \$ 1050.00

If any additional payment is required, a check which includes the calculated fee of \$1,050.00(OFGS Check No. 24374 is attached.

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In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

#### **CONTINGENT EXTENSION REQUEST**

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

#### **SUMMARY OF AMENDMENTS**

1. ☐ If checked, an abstract (an amended abstract) is submitted herewith.
2. ☐ If checked, amendment(s) to the drawings are submitted herewith.
3. ☐ If checked, amendment(s) to the specification are submitted herewith.
4. ☒ If checked, amendment(s) to the claims are submitted herewith.